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OFFICE OF PETITIONS

In re Application of	:	
Joseph Patrick Fannon et al.	:	
Application No. 10/674,210	:	CORRECTED DECISION
Filed: September 29, 2003	:	ON RENEWED PETITION
Attorney Docket No. GP-303156	:	UNDER 37 C.F.R. §1.181(A)
Title: CABLE END FITTING RETAINER	:	
ASSEMBLY	:	

This is a corrected decision on the renewed petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment, filed on December 9, 2005.

The above-identified application became abandoned for failure to file a proper response to the Restriction Requirement, mailed January 26, 2005, which set a shortened statutory period to reply for one (1) month. No extensions of time under the provisions of 37 CFR 1.136(a) were received. Accordingly, the above-identified application became abandoned on February 27, 2005. A Notice of Abandonment was mailed on August 22, 2005.

The original petition was submitted on September 1, 2005, and was dismissed via the mailing of a decision on November 9, 2005.

With the original petition, Petitioner included a response to the restriction requirement which contains a certificate of facsimile transmission which bears a date of February 3, 2005. With the renewed petition, Petitioner included a statement under 37 C.F.R. §1.8(b)(3) which attests on a personal knowledge basis to the previous timely facsimile transmission.

On December 21, 2005, a decision was mailed which incorrectly granted this petition, indicating "it is concluded that Petitioner has met her burden of establishing that a timely response was timely submitted, pursuant to 37 C.F.R. §1.8¹."

¹ Decision on petition, page 1.

The Office regrets this error.

It has since been noted that the response of February 3, 2005 does not pertain to the present application. The application number, inventor, title, filing date, attorney docket number, group art unit, and Examiner each differs from that of the present application.

As such, even if the text of the response were to be applicable to the present application, there would have been no reason for the Office to associate this submission with the present application.

It follows that the decision of December 21, 2005 is hereby **VACATED**. The renewed petition is **DISMISSED**.

Any reply must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. The reply should include a cover letter entitled "Second Renewed Petition Under 37 C.F.R. 1.181". This is not a final agency action within the meaning of 5 U.S.C 704.

Alternatively, Petitioner may wish to consider filing a petition under 37 C.F.R. §§1.137(a) and/or (b).

Any subsequent submission should indicate in a prominent manner that the attorney handling this matter is Paul Shanoski, and may be submitted by mail², hand-delivery³, or facsimile⁴.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
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Office of Petitions
United States Patent and Trademark Office

² Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

³ Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

⁴ (571) 273-8300- please note this is a central facsimile number.